UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1996/NGO/81
9 April 1996

ENGLISH ONLY

COMMISSION ON HUMAN RIGHTS
Fifty-second session
Agenda item 23

INDIGENOUS ISSUES

Written statement submitted by the World Federation of Democratic Youth, a non-governmental organization in consultative status (category I)

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[9 April 1996]

1. The World Federation of Democratic Youth (WFDY) highly appreciates the Commission's decision to introduce agenda item 23, entitled Indigenous issues, into its present session. This decision is consistent with the growing international awareness of the rights of indigenous peoples and the recent accelerated progress of work by the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Working Group on the United Nations Declaration on the Rights of Indigenous Peoples. Let us hope that the spirit with which the Commission approved this decision guides future discussion of this important agenda item.

2. WFDY fully supports the draft United Nations Declaration on the Rights of Indigenous Peoples in its present form as adopted by the Sub-Commission by means of its resolution 1994/45 of 26 August 1994. We remind the Commission that this draft Declaration is the product of painstaking efforts and ardent work for nearly five years with the active participation of indigenous representatives and highly qualified United Nations experts under the able leadership of Mrs. Erica-Irene Daes.

3. No sane person denies the valuable contribution of indigenous peoples to humanity or their tremendous sacrifices throughout the generations. After long years of exploitation, elimination and marginalization this Declaration is the least to be offered in recognition of the responsibilities, needs and rights of indigenous peoples to protect the remains of their heritages. While we agree with the idea that the Declaration "should not be a mere repetition of rights laid down in other instruments but should be a reflection of existing progressive legal concepts" (E/CN.4/1996/84), this does not derogate from the fact that the Declaration made reference to the Charter of the United Nations and the two International Covenants on Human Rights. It recognizes itself as a "further important step forward for the recognition, promotion and protection of the rights and freedoms of indigenous peoples". It is our opinion that the draft Declaration is not only realistic and in conformity with the existing body of human rights law, but is amply prepared to attract broad international support if concerned Governments look at it without prejudices and baseless fears.

4. Guided by our firm belief that unity is in diversity, we encourage the Commission to advise its open-ended inter-sessional working group which is entitled to elaborate this Declaration to be more flexible and open-minded in consideration of this document. Furthermore, we call on the Commission to take all the necessary measures to ensure that the final Declaration will be adopted by the General Assembly as early as the end of the first half of the present International Decade of the World's Indigenous People.

5. The General Assembly at its last session adopted an important short-term programme of activities for the International Decade of the World's Indigenous People. This programme should be effectively implemented for the benefit of indigenous peoples closely associated with their needs and in their own communities. This is the only way to ensure the true usefulness of such programmes. Effective implementation of programmes requires effective administrative, technical and financial mechanisms. This is not the case with the Voluntary Fund for the International Decade for Indigenous Populations. The mandates and all other aspects of these Funds should be adequately reviewed and further strengthened to meet the aspirations of indigenous peoples and facilitate their direct involvement in national and international activities that affect their lives.

6. In light of the fact that activities for the International Decade of the World's Indigenous People are yet to be implemented by the competent United Nations organs due to the absence of a governing body to generate and supervise the utilization of the necessary funds for these specific activities, WFDY calls for an immediate appointment of a Board of Trustees to manage the Voluntary Fund for the International Decade of the World's Indigenous People. The Board should include specialized persons with deep knowledge of indigenous issues and their diverse components.

7. Since this is the first time that the Commission has designated an agenda item for indigenous issues, we recommend that this item be renamed in a convenient way that addresses the rights of indigenous peoples. We also

recommend that this item be discussed under suitable subitems at future sessions. These subitems should appropriately address the following subjects:

(a) Reports on the progress of work on the draft Declaration on the Rights of Indigenous Peoples;

(b) Follow-up to the programme of activities for the International Decade of the World's Indigenous People;

(c) Technical support services and documentation of the existing treaties, agreements and other constructive arrangements between States and indigenous peoples.